

Agency Legislative Budget

The following table summarizes the total legislative budget for the agency by year, type of expenditure, and source of funding.

Agency Legislative Budget								
Budget Item	Base Budget Fiscal 2004	PL Base Adjustment Fiscal 2006	New Proposals Fiscal 2006	Total Leg. Budget Fiscal 2006	PL Base Adjustment Fiscal 2007	New Proposals Fiscal 2007	Total Leg. Budget Fiscal 2007	Total Leg. Budget Fiscal 06-07
FTE	0.00	0.00	8.50	8.50	0.00	90.25	90.25	90.25
Personal Services	0	0	458,511	458,511	0	4,504,198	4,504,198	4,962,709
Operating Expenses	0	0	268,709	268,709	0	9,366,020	9,366,020	9,634,729
Equipment	0	0	0	0	0	0	0	0
Total Costs	\$0	\$0	\$727,220	\$727,220	\$0	\$13,870,218	\$13,870,218	\$14,597,438
General Fund	0	0	727,220	727,220	0	13,870,218	13,870,218	14,597,438
Total Funds	\$0	\$0	\$727,220	\$727,220	\$0	\$13,870,218	\$13,870,218	\$14,597,438

Page Reference

Legislative Budget Analysis, none

Executive Budget Comparison

The following table compares the legislative budget for the 2007 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2004	Executive Budget Fiscal 2006	Legislative Budget Fiscal 2006	Leg – Exec. Difference Fiscal 2006	Executive Budget Fiscal 2007	Legislative Budget Fiscal 2007	Leg – Exec. Difference Fiscal 2007	Biennium Difference Fiscal 06-07
FTE	0.00	0.00	8.50	8.50	0.00	90.25	90.25	
Personal Services	0	0	458,511	458,511	0	4,504,198	4,504,198	4,962,709
Operating Expenses	0	0	268,709	268,709	0	9,366,020	9,366,020	9,634,729
Equipment	0	0	0	0	0	0	0	0
Total Costs	\$0	\$0	\$727,220	\$727,220	\$0	\$13,870,218	\$13,870,218	\$14,597,438
General Fund	0	0	727,220	727,220	0	13,870,218	13,870,218	14,597,438
Total Funds	\$0	\$0	\$727,220	\$727,220	\$0	\$13,870,218	\$13,870,218	\$14,597,438

The budget for the office was not included in the executive budget, so funding associated with SB 146 is a difference from the executive budget. Funding for the office is contingent upon passage and approval of SB 146.

Agency Highlights

Office of State Public Defender Major Budget Highlights	
◆	The Office of State Public Defender is established contingent upon passage and approval of SB 146, which establishes a statewide public defender system.
	◆ Funding and FTE are from: <ul style="list-style-type: none"> • 3.00 FTE and \$414,110 general fund of the Appellate Defender are moved to the Appellate Defender Program in the office beginning in FY 2006 • 1.5 FTE and \$8.1 million general fund are transferred from the Judiciary in FY 2007 • 42.00 FTE attorneys and 23.75 FTE support state are transferred from local governments in FY 2007 • 5.50 FTE in FY 2006 and 20.00 FTE in FY 2007 are added to manage and administer the system • \$50,141 general fund is transferred in FY 2007 from the Department of Corrections for mental health evaluations

Agency Discussion

The Office of State Public Defender is proposed in SB 146. The office moves functions and funding from the Judiciary, Appellate Defender, and Department of Corrections, as well as establishing new state provided functions. Functions and funding transferred from the Judiciary include 1.50 FTE and \$8.1 million general fund in FY 2007. The Appellate Defender was moved into the office beginning in FY 2006 through the transfer of 3.00 FTE and \$414,110 general fund over the biennium. The legislature also transferred \$50,141 general fund in FY 2007 from the Department of Corrections for mental health evaluations. Above the amounts transferred from other existing funding, the legislature also added nearly \$6.0 million general fund to fund the office in the 2007 biennium. The office would be in transition during the 2007 biennium with FY 2006 being dedicated to establishing the structure for the statewide public defender system and initial staffing of key positions prior to the office being ordered by the courts to assigned counsel beginning July 1, 2006.

Funding

The general fund supports all functions of the office. Cities and counties will share in the cost of the courts assumed in the bill through reductions of their entitlement payments. The entitlement payment reductions offset general fund expenditures, but do not show in the total funding for the office.

Language

The legislature approved the following language for inclusion in HB2:

"All funding for the office is contingent upon passage and approval of Senate Bill No. 146."

Program Legislative Budget

The following table summarizes the legislative budget proposal for the program by year, type of expenditure, and source of funding.

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2004	PL Base Adjustment Fiscal 2006	New Proposals Fiscal 2006	Total Leg. Budget Fiscal 2006	PL Base Adjustment Fiscal 2007	New Proposals Fiscal 2007	Total Leg. Budget Fiscal 2007	Total Leg. Budget Fiscal 06-07
FTE	0.00	0.00	5.50	5.50	0.00	87.25	87.25	87.25
Personal Services	0	0	307,510	307,510	0	4,353,356	4,353,356	4,660,866
Operating Expenses	0	0	207,042	207,042	0	8,663,979	8,663,979	8,871,021
Equipment	0	0	0	0	0	0	0	0
Total Costs	\$0	\$0	\$514,552	\$514,552	\$0	\$13,017,335	\$13,017,335	\$13,531,887
General Fund	0	0	514,552	514,552	0	13,017,335	13,017,335	13,531,887
Total Funds	\$0	\$0	\$514,552	\$514,552	\$0	\$13,017,335	\$13,017,335	\$13,531,887

Page Reference

Legislative Budget Analysis, none

Funding

The general fund supports all functions of the program.

Present Law Adjustments

The "Present Law Adjustments" table shows the primary changes to the adjusted base budget adopted by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Legislative decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

New Proposals

New Proposals										
Program	-----Fiscal 2006-----					-----Fiscal 2007-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Office of State Public Defender - SB 146										
01	5.50	514,552	0	0	514,552	87.25	13,017,335	0	0	13,017,335
Total	5.50	\$514,552	\$0	\$0	\$514,552	87.25	\$13,017,335	\$0	\$0	\$13,017,335

DP 1 - Office of State Public Defender - SB 146 - The legislature approved an increase of \$13.5 million general fund over the biennium to establish a program to administer the Office of State Public Defender.

Program Legislative Budget

The following table summarizes the legislative budget proposal for the program by year, type of expenditure, and source of funding.

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2004	PL Base Adjustment Fiscal 2006	New Proposals Fiscal 2006	Total Leg. Budget Fiscal 2006	PL Base Adjustment Fiscal 2007	New Proposals Fiscal 2007	Total Leg. Budget Fiscal 2007	Total Leg. Budget Fiscal 06-07
FTE	0.00	0.00	3.00	3.00	0.00	3.00	3.00	3.00
Personal Services	0	0	151,001	151,001	0	150,842	150,842	301,843
Operating Expenses	0	0	61,667	61,667	0	702,041	702,041	763,708
Equipment	0	0	0	0	0	0	0	0
Total Costs	\$0	\$0	\$212,668	\$212,668	\$0	\$852,883	\$852,883	\$1,065,551
General Fund	0	0	212,668	212,668	0	852,883	852,883	1,065,551
Total Funds	\$0	\$0	\$212,668	\$212,668	\$0	\$852,883	\$852,883	\$1,065,551

Page Reference

Legislative Budget Analysis, none

Funding

The general fund supports all functions of the program.

Present Law Adjustments

The "Present Law Adjustments" table shows the primary changes to the adjusted base budget adopted by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Legislative decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

New Proposals

New Proposals										
Program	Fiscal 2006					Fiscal 2007				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 2 - Office of Appellate Defender - SB 146										
02	3.00	212,668	0	0	212,668	3.00	852,883	0	0	852,883
Total	3.00	\$212,668	\$0	\$0	\$212,668	3.00	\$852,883	\$0	\$0	\$852,883

DP 2 - Office of Appellate Defender - SB 146 - The legislature approved an increase of \$1.1 million general fund over the biennium to establish an Office of Appellate Defender in the Office of State Public Defender.